

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

AZURE NETWORKS, LLC, <i>et al.</i> ,	§	
	§	
<i>Plaintiffs,</i>	§	
	§	CASE NO. 6:11-CV-139-LED-JDL
v.	§	
	§	
CSR PLC, <i>et al.</i> ,	§	JURY TRIAL DEMANDED
	§	
<i>Defendants.</i>	§	

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

The parties in this case hereby submit their Joint Claim Construction and Prehearing Statement pursuant to Local Patent Rule 4-3 and the Court’s Amended Docket Control Order, entered on September 11, 2012, (Dkt. No. 225). There is one patent at issue in this lawsuit—U.S. Patent No. 7,756,129 (“the ’129 patent”).

Section I identifies the claim terms/phrases of the patent-in-suit for which the parties have agreed on a joint construction. Section II and Exhibit A contain Plaintiffs’ proposed constructions for the disputed terms/phrases of the patent-in-suit, along with supporting intrinsic and extrinsic evidence. Section III and Exhibit B contain Defendants’ proposed constructions for the disputed terms/phrases of the patent-in-suit, along with supporting intrinsic and extrinsic evidence. Section IV contains the parties’ positions regarding the length of the claim construction hearing. Neither of the parties anticipate calling any witnesses, including experts, at the claim construction hearing.

I. Construction of Claim Terms on which the Parties Agree

The parties agree on the following constructions:

Term	Agreed Construction
peripheral device identifier	an element that identifies a peripheral device

II. Plaintiffs' Construction of Disputed Claim Terms/Phrases and Identification of Evidence

In the claim chart attached as Exhibit A, Plaintiffs propose claim constructions for the disputed claim terms/phrases of the patent-in-suit and identify intrinsic and extrinsic evidence upon which they may rely to support their proposed constructions.

III. Defendants' Construction of Disputed Claim Terms and Identification of Evidence

In the claim chart attached as Exhibit B, Defendants propose claim constructions for the disputed claim terms/phrases of the patent-in-suit, and identify intrinsic and extrinsic evidence upon which they may rely to support their proposed constructions.

IV. Length of Claim Construction Hearing

By its Docket Control Order, entered on October 26, 2011, (Dkt. No. 114), the Court set the claim construction hearing to begin at 9:00 a.m. on November 29, 2012. The Plaintiffs propose that the Court allow a total of 3 hours (1.5 hours per side) for the *Markman* hearing and hearing on any Motion for Summary Judgment of Indefiniteness. The Defendants propose that the Court allow a total of 5 hours (2.5 hours per side) for the *Markman* hearing and hearing on any Motion for Summary Judgment of Indefiniteness.

At this time, the parties do not believe there are any issues that need to be addressed by the Court at a prehearing conference.

Dated: September 21, 2012

Respectfully submitted,

/s/ Danny Williams

Danny L. Williams
Texas State Bar No. 21518050
danny@wmalaw.com
Christopher N. Cravey
Texas State Bar No. 24034398
cravey@wmalaw.com
David K. Wooten
Texas State Bar No. 24033477
dwooten@wmalaw.com
David Morehan
Texas State Bar No. 24065790
dmorehan@wmalaw.com
WILLIAMS, MORGAN & AMERSON, P.C.
10333 Richmond, Suite 1100
Houston, Texas 77042
Telephone: (713) 934-7000
Facsimile: (713) 934-7011

Eric M. Albritton
Texas State Bar No. 00790215
ema@emafirm.com
Stephen E. Edwards
Texas State Bar No. 00784008
see@emafirm.com
Debra Coleman
Texas State Bar No. 24059595
drc@emafirm.com
Michael A. Benefield
Texas State Bar No. 24073408
mab@emafirm.com
ALBRITTON LAW FIRM
P.O. Box 2649
Longview, Texas 75606
Telephone: (903) 757-8449
Facsimile: (903) 758-7397

Attorneys for Plaintiffs

/s/ Andy Tindel

ANDY TINDEL (State Bar No. 20054500)
atindel@andytindel.com

ANDY TINDEL, ATTORNEY &
COUNSELOR AT LAW, P.C.
112 East Line Street, Suite 304
Tyler, Texas 75702
Telephone: (903) 596-0900
Facsimile: (903) 596-0909

JEFFREY E. OSTROW (*pro hac vice*)
jostrow@stblaw.com
JONATHAN C. SANDERS (*pro hac vice*)
jsanders@stblaw.com
SIMPSON THACHER & BARTLETT LLP
2550 Hanover Street
Palo Alto, California 94304
Telephone: (650) 251-5000
Facsimile: (650) 251-5002

KERRY L. KONRAD (*pro hac vice*)
kkonrad@stblaw.com
VICTOR COLE (Texas PRID No.
3354198)
vcole@stblaw.com
SIMPSON THACHER & BARTLETT LLP
425 Lexington Avenue
New York, New York 10017-3954
Telephone: (212) 455-2000
Facsimile: (212) 455-2502

***Attorneys for Defendants CSR plc,
Cambridge Silicon Radio International
LLC, Marvell Semiconductor, Inc., Ralink
Technology Corporation [Taiwan], and
Ralink Technology Corporation [USA].***

/s/ Matthew J. Brigham
Matthew J. Brigham

Timothy S. Teter
Matthew J. Brigham
COOLEY LLP
3175 Hanover Street
Palo Alto, CA 94304-1130
Telephone: (650) 843-5000
Facsimile: (650) 849-7400
teterts@cooley.com

mbrigham@cooley.com

Michael E. Jones
State Bar No. 10929400
Allen F. Gardner
State Bar No. 24043679
Potter Minton, P.C.
110 N. College Ave., Suite 500
Tyler, Texas 75702
Tel: (903) 597-8311
Fax: (903) 593-0846
mikejones@potterminton.com
allengardner@potterminton.com

***Attorneys for Defendants Qualcomm
Incorporated and Qualcomm Atheros, Inc.***

/s/ Louis W. Tompros

Louis W. Tompros

Dominic E. Massa (*pro hac vice*)
Louis W. Tompros (*pro hac vice*)
Wilmer Cutler Pickering Hale and Dorr
LLP
60 State Street
Boston, Massachusetts 02109
Tel.: (617) 526-6000
Fax: (617) 526-5000

Bethany Stevens (*pro hac vice*)
Wilmer Cutler Pickering Hale and Dorr
LLP
350 South Grand Avenue, Suite 2100
Los Angeles, California 90071
Tel.: (213) 443-5300
Fax: (213) 443-5400

Michael E. Jones
State Bar No. 10929400
mikejones@potterminton.com
Allen F. Gardner
State Bar No. 24043679
allengardner@potterminton.com
Potter Minton, P.C.
110 N. College, Suite 500

Tyler, Texas 75702
Tel.: (903) 597-8311
Fax: (903) 593-0846

***Attorneys for Defendant Broadcom
Corporation***

/s/ Amanda A. Abraham

Carl R. Roth

Carl R. Roth
State Bar No. 17312000
cr@rothfirm.com
Brendan C. Roth
State Bar No. 24040132
br@rothfirm.com
Amanda A. Abraham
State Bar No. 24055077
aa@rothfirm.com
The Roth Law Firm
115 N. Wellington, Suite 200
Marshall, Texas 75670
Phone: (903) 935-1665
Fax: (903) 935-1797

Attorneys For Texas Instruments, Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email, on September 21, 2012.

/s/ Rita Burks _____

Rita Burks

Litigation Paralegal